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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/532,702	04/26/2005	Masahiro Yuhara	ARGM-110US	2677
23122	7590	10/17/2007		
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P O BOX 980			NGUYEN, NAM V	
VALLEY FORGE, PA 19482-0980				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/532,702

**Applicant(s)**

YUHARA, MASAHIRO

**Examiner**

Nam V. Nguyen

**Art Unit**

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 April 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 April 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) ✓
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08) ✓  
Paper No(s)/Mail Date 4/26/05.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

The application of Yuhara for an "authentication system" filed April 26, 2005 has been examined.

This application claims foreign priority based on the application 2003-309334 filed August 26, 2004 in Japan. Receipt is acknowledged of papers submitted under 35 U.S.C 119(a) – (d), which papers have been placed of record in the file.

This application claims priority to a 371 of PCT/JP04/12716, which is filed on August 26, 2004.

Claims 1-15 are pending.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 7-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "said certification means" in line 14. There is insufficient antecedent basis for this limitation in the claim.

Referring to claims 7-10 are rejected as being dependent upon a rejected Claim 1 above.

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Claims 8-9 recite the limitation "the exterior thereof" in line 3. There is insufficient antecedent basis for this limitation in the claim.

*Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2 and 12-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Honda (US# 6,160,488).

Referring to claims 1, 12 and 14, Honda discloses a method, an apparatus and an electronic control unit 20 (i.e. a certification system) (column 1 lines 18 to 31; see Figure 1) comprising:

a plurality of keys (10 and 11) (i.e. storage devices) each storing therein identification code data (i.e. identification information) (column 4 lines 61 to column 5 line 4; column 5 lines 47 to 60; see Figures 1 and 4); and

a CPU (20) (i.e. a certification apparatus) including certification means for certifying whether or not each of said keys (10 and 11) (i.e. storage devices) is a transponder (10a) (i.e. an authorized device) authorized to use injector 23 or ignitor 24 (i.e. components) mounted on a vehicle (column 2 lines 57 to 64; see Figure 1), and in which

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said transponders (10 and 11) (i.e. storage devices) includes key #1 (11) (i.e. an authorized storage device) to be certified as being said authorized device, and a master key (10) (i.e. a master storage device) to be used to certify said authorized storage device as being said authorized device (column 5 lines 47 to 60; see Figure 4),

said CPU (20) (i.e. a certification apparatus) includes an antenna (22) (i.e. an obtaining means) for obtaining said identification information stored in each of said key (10, 11 and 12) (i.e. storage devices) (column 3 lines 12 to 20; see Figure 1),

an EEPROM (20f) (i.e. storage means) for storing therein information (column 2 lines 65 to column 3 line 4), and

a CPU (20a) (i.e. also a storage control means) for controlling said EEPROM (20f) (i.e. storage means) (column 2 lines 65 to column 3 line 4),

a CPU (20a) (i.e. also a certification means) is operative to certify whether or not each of said keys (10, 11 and 12) (i.e. storage devices) is said transponder (10a) (i.e. authorized device) on the basis of said identification information of each of said key (10, 11 and 12) (i.e. storage devices) obtained by said antenna (22) (i.e. an obtaining means), and said information stored in said EEPROM (20f) (i.e. storage means) (column 5 lines 5 to 18; see Figures 1 to 3),

said CPU (20a) (i.e. also a certification means) is operative to certify that said transponder (10a) (i.e. master storage device) is not said authorized device under the condition that said storage means (20f) has already stored therein said identification information of said authorized storage device (10a) (column 3 lines 43 to 56; see Figure 2a), and

said a CPU (20a) is operative to control said storage means (20f) to have said storage means (20f) store therein said identification information of said transponder (11a) (i.e. authorized

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storage device) obtained by said obtaining means only under the condition that said certification means certifies said master storage device (10a) as being said authorized device (column 3 lines 22 to 55; column 4 lines 20 to 43; see Figures 2a and 2b).

Referring to Claims 2, 13 and 15, Honda discloses a method and a certification system, to the extent as claimed with respect to claims 1, 12 and 14 above, and the method and the system further including a second transponder (12) (i.e. a second authorized storage devices) (column 4 lines 47 to 55; column 5 lines 47 to 60; see Figure 4).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Honda (US# 6,160,488) as applied to claim 1 above, and in view of Anzai et al. (US# 6,271,745).

Referring to claim 3, Honda discloses a certification system as set forth in claim 2, however, Honda did not explicitly disclose in which components mounted on said vehicle which said first authorized storage device are to be authorized to use include one or more components

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mounted on said vehicle other than components mounted on said vehicle which said second authorized storage device are to be authorized to use.

In the same field of endeavor of identification and authorization system for motor vehicle, Anzai et al. teach that in which operating door and start engine (i.e. components mounted on said vehicle) which said first authorized driver (i.e. first authorized storage device) are to be authorized to use include operating door and start engine (i.e. one or more components mounted on said vehicle) other than components mounted on said vehicle which said (second authorized driver (i.e. second authorized storage device) are to be authorized to use (column 6 lines 61 to column 7 line 4; column 8 lines 17 to 33; see Figures 1 and 6) in order to improve security in authorization system for a motor vehicle.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to recognize first authorized driver authorized to operate plurality of operations in a vehicle such that open doors other than start an engine which said second authorized driver authorized to operated taught by Anzai et al. in an anti-theft device using code type transponders of Honda because limited use of the operation in a vehicle depend on the authorized driver would improve security in authorization system for a motor vehicle.

Referring to claims 4-7, Honda discloses a certification system as set forth in claims 1 and 2, Anzai et al. disclose in which said storage control means is operative to control said storage means to have said storage means delete said identification information of said second authorized storage device therefrom only under the condition that said certification means certifies said first authorized storage device as being said authorized device (column 7 lines 26 to

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41; column 8 lines 1 to 16; see Figures 8 and 10) in order to improve security in authorization system for a motor vehicle.

Referring to claim 8, Honda in view of Anzai et al. discloses a certification system as set forth in claims 1 or claim 2, Honda discloses further comprising antenna (22) (i.e. a transmitting means) for transmitting said identification information to be stored in said storage means (20f) to the exterior thereof when said identification information is stored in said storage means (20f) (column 3 lines 12 to 42; see Figure 1).

Referring to claim 9, Honda in view of Anzai et al. discloses a certification system as set forth in any one of claim 4 through claim 7, Anzai et al. disclose further comprising transmitting means for transmitting said identification information to be deleted from said storage means to the exterior thereof when said identification information is deleted from the storage means (column 6 lines 61 to column 7 line 4; column 8 lines 17 to 33; see Figures 1 and 6).

Claims 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Honda (US# 6,160,488) as applied to claim 1 above, and in view of Funahashi (US# 7,065,647).

Referring to claims 10-11, Honda discloses a certification system as set forth in claims 1 and 2, however, Honda did not explicitly disclose in which said authorized storage device is constituted by a driving license.



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In an analogous art, Funahashi disclose an electronic key 2 (i.e. an authorized storage device) is constituted by a driving license (column 16 lines 45 to 55) in order to create a convenient for the user.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to recognize having the electronic key as a portable type authentication communication device in a driver's license taught by Funahashi in an anti-theft device using code type transponders of Honda because having a driver's license as the electronic key would provide a convenient way for authenticating the user in operating a vehicle.

### *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Jones (US# 5,479,156) discloses a vehicle security system responsive to short and long range transmitters.

Treharne (US# 6,501,369) discloses a vehicle security system having unlimited key programming.

Enoyoshi et al. (US# 6,683,391) disclose a method of preventing car thefts.

Dix et al. (US Pub. No. 2004/0263316) disclose a reprogrammable vehicle access control system.


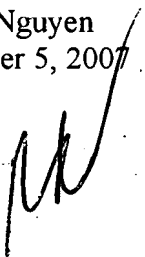
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nam V Nguyen whose telephone number is 571-272-3061. The examiner can normally be reached on Mon-Fri, 8:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's acting supervisor, Brian Zimmerman can be reached on 571- 272-3059. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nam Nguyen  
October 5, 2007



BRIAN ZIMMERMAN  
PRIMARY EXAMINER